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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of James H. Cink, et al.
Serial No. 10/805,802
Filed March 22, 2004
Confirmation No. 9954
For PEST CONTROL DEVICE AND METHOD
Examiner Kurt Rowan

Art Unit 3643

April 12, 2005

**TERMINAL DISCLAIMER TO OBTAIN A PROVISIONAL DOUBLE
PATENTING REJECTION OVER A PENDING SECOND APPLICATION**

TO THE COMMISSIONER FOR PATENTS,

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The owner, Whitmire Micro-Gen Research Laboratories, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/400,773, filed on March 25, 2003, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns.

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2. [X] The undersigned is an attorney of record.

4/12/05
Date


Signature

Brian P. Klein, Reg. No. 44,837
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- [X] Terminal disclaimer fee under 37 CFR 1.20(d) is included
[X] PTO suggested wording for terminal disclaimer was
[X] unchanged
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